



EXPRESS MAIL NO. EL 17 567 162 US PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : Brown et al.  
Ser. No. : 08/621,631  
Filing Date : March 26, 1996  
For : Recovery of Metal Values  
Examiner : Miller, E.  
Art Unit : 2204

*34/Suppl*  
*12/6/99*  
*Holmes*

Assistant Commissioner for Patents  
Washington, DC 20231

**Preliminary Amendment**

Sir:

Please amend the above-identified application as follows prior to calculation of the filing fees:

IN THE CLAIMS:

Please cancel claims 1 and 2 without prejudice to their reintroduction in the future.

In addition, please add the following new claim:

*Sub 24*  
*21*  
21. (New) A process for selectively extracting a metal value from a source material which includes fluorine and one or more solubilizable metal values, the solubilizable metal values including tantalum or niobium metal values, the process comprising:



# **CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX,  
if applicable

☒ **DUPLICATE**

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.	12317/142215
First Named Inventor	BROWN, et al.
Examiner Name	Miller, E.
Group/Art Unit	2204
Express Mail Label No.	EL 147 567 162 US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number 08/621,631, filed on March 26, 1996, entitled **Recovery of Metal Values**

## **NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued or a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such a request, 37 C.F.R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

12/02/1999 DUONG 00000034 08621631

01 FC:131

760.00 DP

## **CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that this Continued Prosecution Application Request Transmittal, and any documents referred to as attached therein are being deposited with the United States Postal Service on this 30th day of November, 1999 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label Number EL147 567 162 addressed to Box CPA, Assistant Commissioner for Patents, Washington, D.C. 20231.

Heather L. Norman

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR § 1.16(c) OR (j))	20 - 19* =	0	X \$ 18.00 =	\$ 0.00
	INDEPENDENT CLAIMS (37 CFR § 1.16(b) OR (i))	6 - 6** =	0	X \$78.00 =	0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR §1.116(d))			+ \$270.00 =	0.00
				BASIC FEE (37 C.F.R. §1.16)	\$ 760.00
				Total of Above Calculations =	\$ 760.00
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28)				\$
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.			TOTAL =	\$ 760.00

## 6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.  
b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.  
c. ☐ Is no longer claimed.

## 7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 16-1435.

- a. ☒ Fees required under 37 C.F.R. § 1.16.  
b. ☒ Fees required under 37 C.F.R. § 1.17.  
c. ☐ Fees required by this action in the amount of


8. ☒ A check in the amount of \$760.00 is enclosed.9. ☒ Other: Request for Extension of Time Pursuant to 37 CFR 1.136(a)**NOTE:**

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

**10. NEW CORRESPONDENCE ADDRESS**

NAME	Martha A. Finnegan, Esq.				
Address	Cabot Corporation, 157 Concord Road				
City	Billerica	State	Ma	Zip Code	01821
Country	US	Telephone	978/670-6198	Fax	978/670-8027

**11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Charles W. Calkins
Signature	
Reg. No. (Attorney/Agent)	31,814
Date	November 30, 1999